

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF
MASSACHUSETTS

CHAPTER 13 CASE
NO. 12-11202-WCH

In re: *
Thomas E. DeGiacomo *
And Christine DeGiacomo *
*
Debtors *

**MOTION TO AMEND CONFIRMED CHAPTER 13 PLAN TO PAY OFF
PLAN IN FULL WITH NET PROCEEDS FROM
SALE OF REAL ESTATE MINUS PAYMENTS MADE DIRECTLY BY
DEBTORS AND CHAPTER 13 TRUSTEE**

Now come the Debtors and hereby move this Honorable Court to Modify
their confirmed Chapter 13 Plan and File a First Amended Post-Confirmation
Chapter 13 Plan attached hereto. Debtors states as their reasons:

1. The Debtors Chapter 13 Plan was confirmed by this Court on November 28, 2012 providing for sixty monthly payments of varying amounts ;
2. The Debtors have made those payments to the trustee under the plan for approximately 30 months;
3. The Debtors have filed divorce proceedings and can no longer pay the plan;
4. On September 4, 2014, the Debtors filed a Motion for Order Authorizing and Approving Private Sale of the Estate of Property Located at 10 Drummond Road, Stoneham, MA 02180;
5. The Debtors seek to have the net settlement proceeds be used to pay all off their plan early paying secured and unsecured creditors in full minus any payments made by them directly or by the Chapter 13 Trustee's office.